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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DEBBIE MILLIRON, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

T-MOBILE USA, INC.,

Defendant.

Civil Action No. 08-04149 (JLL) (ES)

SUPPLEMENTAL DECLARATION OF
JOEL K. BOTZET
REGARDING EXCLUSION REQUEST
REPORT

1 I, JOEL K. BOTZET, declare and say as follows:

2
3 1. I am a Senior Project Administrator with Rust Consulting, Inc. ("Rust Consulting").
4 My business address is 625 Marquette Avenue, Suite 880, Minneapolis, Minnesota 55402. My
5 telephone number is 612-359-2035. I am over twenty-one years of age and authorized to make this
6 declaration on behalf of Rust Consulting. Except as otherwise stated, I am fully familiar with and
7 have personal knowledge of the matters in this declaration and am competent to testify about them
8 if called upon to do so.

9 2. I previously submitted a declaration regarding compliance (notification and
10 settlement administration services) and requests for exclusion report per Article IV.8 of the
11 Stipulation and Agreement of Settlement on *Milliron v. T-Mobile USA, Inc.*, United States District
12 Court for the District of New Jersey, Civil Action No. 08-04149 (JLL) (ES).

13 3. I submit this updated declaration regarding the requests for exclusion report per
14 Article IV.8 of the Stipulation and Agreement of Settlement.

15 4. As of July 23, 2009, Rust Consulting had received 539 valid requests for exclusion
16 from the settlement class.

17 5. As of July 23, 2009, Rust Consulting had received 63 ambiguous or deficient
18 requests for exclusion from the settlement class.

19 6. Rust Consulting has been attempting to resolve these ambiguities and deficiencies by
20 sending "cure" letters and emails. As of June 22, 2009, Rust Consulting had sent 10 cure letters and
21 34 cure emails, all requesting that a response be received by Rust Consulting no later than July 2,
22 2009. Exemplars of these cure letters and emails are attached as Exhibit A.

23 7. As of July 8, 2009, Rust Consulting had received 15 valid and timely responses to
24 these cures.

25 8. Between June 23, 2009 and July 16, 2009, Rust Consulting had sent 13 cure letters
26 and 7 cure emails, all requesting that a response be received by Rust Consulting no later than July
27 23, 2009. Exemplars of these cure letters and emails are attached as Exhibit B.

11. As of July 23, 2009, Rust Consulting had received 5 untimely requests for exclusion.


JOEL K. BOTZE

EXHIBIT A

**Settlement Administrator
P.O. Box 945
Minneapolis, MN 55440-0945**

DATE

<<Name>>

<<Address>>

<<City>>, <<State>> <<Zip>>

Re: *Milliron v. T-Mobile USA, Inc.* Class Action Settlement.
United States District Court for the District of New Jersey
Civil Action No. 08-4149 (JLL) (ES)

Dear <<Name>>:

The Settlement Administrator has received your correspondence about excluding yourself from the *Milliron v. T-Mobile USA, Inc.* class action settlement. We are responding because you (1) asked for an exclusion form or (2) requested exclusion but did not sign the request.

If you wish to exclude yourself from the settlement, you must sign and date the statement below and mail this form to the Settlement Administrator by **July 2, 2009**. To ensure that we are able to honor your exclusion request, please provide your T-Mobile telephone number(s) if you know them; the ID number on your postcard if you received one; and your T-Mobile account number if you know it.

I, <<Name>>, request to be excluded from the *Milliron v. T-Mobile USA, Inc.* class action settlement.

Signature

Date

My T-Mobile telephone number/s is/are _____.

The ID number on my postcard was _____.

My T-Mobile account number is _____.

Email cure

Subject: Exclusion from the Milliron v. T-Mobile USA, Inc. Class Action Settlement

The Settlement Administrator has received your email about excluding yourself from the *Milliron v. T-Mobile USA, Inc.* class action settlement. We are responding because you (1) asked for an exclusion form, (2) requested exclusion but did not provide enough information about yourself for us to process your request, or (3) requested exclusion but did not "sign" your email.

To be excluded from the settlement, you must respond to this email by **July 2, 2009** and include:

1. A statement indicating that you wish to be excluded from the settlement.
2. One or more of the following pieces of information:
 - Your mailing address
 - Your T-Mobile telephone number(s)
 - The ID number on your postcard if you received one
 - Your T-Mobile account number
3. Your full name or signature file at the end of the email.

Thank you,

Settlement Administrator

EXHIBIT B

**Settlement Administrator
P.O. Box 945
Minneapolis, MN 55440-0945**

DATE

<<Name>>

<<Address>>

<<City>>, <<State>> <<Zip>>

Re: *Milliron v. T-Mobile USA, Inc.* Class Action Settlement.
United States District Court for the District of New Jersey
Civil Action No. 08-4149 (JLL) (ES)

Dear <<Name>>:

The Settlement Administrator has received your correspondence about excluding yourself from the *Milliron v. T-Mobile USA, Inc.* class action settlement. We are responding because you (1) asked for an exclusion form or (2) requested exclusion but did not sign the request.

If you wish to exclude yourself from the settlement, you must sign and date the statement below and mail this form to the Settlement Administrator so that it is **received by July 23, 2009**. To ensure that we are able to honor your exclusion request, please provide your T-Mobile telephone number(s) if you know it/them; the ID number on your postcard if you received one; and your T-Mobile account number if you know it.

I, <<Name>>, request to be excluded from the *Milliron v. T-Mobile USA, Inc.* class action settlement.

Signature

Date

My T-Mobile telephone number/s is/are _____.

The ID number on my postcard was _____.

My T-Mobile account number is _____.

Email cure:

Subject: Exclusion from the Milliron v. T-Mobile USA, Inc. Class Action Settlement

The Settlement Administrator has received your email about excluding yourself from the *Milliron v. T-Mobile USA, Inc.* class action settlement. We are responding because you (1) asked for an exclusion form, (2) requested exclusion but did not provide enough information about yourself for us to process your request, or (3) requested exclusion but did not "sign" your email.

To be excluded from the settlement, your response to this email must be **received by July 23, 2009** and include:

1. A statement indicating that you wish to be excluded from the settlement.
2. One or more of the following pieces of information:
 - Your mailing address
 - Your T-Mobile telephone number(s)
 - The ID number on your postcard if you received one
 - Your T-Mobile account number
3. Your full name or signature file at the end of the email.

Thank you,

Settlement Administrator